

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

Eduardo Moreno,

Case No. 25-CV-00209 (JMB/JFD)

Plaintiff,

v.

**ORDER**

B. Eischen, *FPC Duluth, et al.*,

Defendant.

---

Eduardo Moreno, Duluth, MN, self-represented Plaintiff.

Ana H. Voss and Ann M. Bildtsen, United States Attorney's Office, Minneapolis, MN, for Defendant.

---

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate John F. Docherty dated February 12, 2025. (Doc. No. 5.) The R&R recommends that the Court deny Plaintiff Eduardo Moreno's petition for a writ of habeas corpus, dismiss the matter, and deny Moreno's application to proceed in forma pauperis. (*See id.*) Neither party has objected to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 5) is ADOPTED;

2. Plaintiff Eduardo Moreno's Petition for Writ of Habeas Corpus (Doc. No. 1) is DENIED;
3. Moreno's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. No. 4) is DENIED as moot; and
4. The action is DISMISSED without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 12, 2025

/s/ Jeffrey M. Bryan  
Judge Jeffrey M. Bryan  
United States District Court